



State of Utah

Department of Natural Resources

MICHAEL R. STYLER
Executive Director

Division of Oil, Gas & Mining

JOHN R. BAZA
Division Director

JON M. HUNTSMAN, JR.
Governor

GARY R. HERBERT
Lieutenant Governor

November 2, 2005

Mike Glasson, Environmental Coordinator
Andalex Resources, Inc.
P.O. Box 902
Price, Utah 84501

Subject: MRP Re-Write, Andalex Resources, Inc., Wildcat Loadout, C/007/0033,
Task ID #2277, Outgoing File

Dear Mr. Glasson:

The Division has reviewed information you provided on June 30, 2005 in response to a previous review under Task ID #2089. The Division found the information did not adequately address the previously identified deficiencies.

Division staff outlined the information that must be provided to satisfy the requirements of the Rules. The list is included with this letter. The R645 Coal Mining Rules are cited with each request. Technical Memos prepared by each of the reviewers are available upon request.

pwb	Priscilla Burton	(435) 613-1146 x 207
jae	Jerriann Ernstsens	(801) 538-5214
whw	Wayne Western	(801) 538-5263
jds	Jim Smith	(801) 538-5262

We request that you respond within 30 days so that this task can be completed this year. The Division would like an opportunity to go over each of these deficiencies with you at your earliest convenience. To set up this meeting, please call Priscilla Burton at (435) 613-1146, Ext 207 or me at (801) 538-5268.

Sincerely,

Pamela Grubaugh-Littig
Permit Supervisor

PWB/sd
cc: Price Field Office
O:\007033.WCL\FINAL\WG2277\Defltr2277.doc

TECHNICAL DEFICIENCIES

MRP Rewrite, Task ID #2277

R645-302-263 and R645-301-121.120, (1) Include all information previously shown on the approved version of Plate 1, especially information that was carefully outlined as described on p. 2-6 of Sec. R645-301-212 of the revised MRP. (3) Ensure that the “property acreage” provided on page 1-2 does not conflict with that given on page 1-25. [pwb]

R645-302-263 and R645-301-222, Provide in Appendix D the soil survey conducted under the direction of Mr. James Nyenhuis for Mt. Nebo Scientific in March 2003. This survey is of soils within the permit area that have been or are likely to be affected by surface operations. [pwb]

R645-302-263 and R645-301-420, Include in Appendix B of the MRP the most recently approved Air Quality Orders: DAQE-005-00 (dated January 5, 2000) as well as the recent (December 2004) DAQE AN113007-04. DAQE-005-00 was incorporated into the MRP on July 1, 2004 but has been removed from App. B. [pwb]

R645-301-121.200, Address the following formatting issues that relate to biological and cultural disciplines to present the narrative more clearly [jae]:

The newly formatted MRP refers many of the sections from 301-311 through 301-322, 301-232, and 301-322 through 301-358 to appendices or sections 301-310, 301-331, and 301-240. Consequently, there are minor problems with the new format that include referenced material in sections unrelated to the regulation, referenced material is missing from sections/appendices, and reference material is incorrectly labeled as not applicable (NA). The Permittee must address these formatting issues to present the narrative more clearly (R645-301-121.200). The following list provides some of the areas to address:

- Update the correct number of plates on the Table of Plates. Table of Plates lists 1-20 instead of 1-28. Plate 21 is missing.
- Provide the missing document or remove the reference to Appendix B (Sec. 301-322.300), which does not provide correspondence with the USFWS. Appendix B provides many correspondences, but not from USFWS.
- Update the correct number of “items” (or entries) on the table for Appendix B. The current table lists 18 items, yet the MRP cites “item 21”.
- Relocate information concerning pest management in section 301-310 (p. 3-9) and 301-331 (p. 3-21) to the appropriate section in 301-341 or 301-357 series. The same information in section 301-357.320 (p. 3-30) is fine.

- Relocate all contents from section 301-331 to more appropriate sections* under e.g., 310-340/341. There is nothing in pages 3-14 through 3-21 that pertains to R645-301-331. Relocating this material will leave section 301-331 blank, which the Permittee must address during the next *technical* review. Consequently, removal of the narrative from 301-331 will affect other pages that the Permittee must address for this application:
 - Remove the nine citations “...see R645-301-331” from sections 301-340 and 301-341 (pgs. 3-22 to 3-23). *The information currently in section R645-301-331 should be separated by subject that relates to the regulation and relocated into the appropriate sections of 301-340/341.
 - Remove the eight citations “Also ...” from pages 3-14 to 3-21. *These citations will not be necessary given that the Permittee will relocate the information to those *cited* sections.
 - Change the citation “see R645-301-331” from sections 301-355 (p. 3-27), 301-357-200 and 301-357.220 (p. 3-29), and 301-357.311 (p. 3-30) to the appropriate sections in the 301-340/341 series. *The current citation will not be correct given that the Permittee will relocate the information from section 301-331 to more appropriate sections.
- Clarify what is meant by “hydroseeded and hydromulched due to...” (p. 3-19).
- Cite the map in section 301-323.100 - do not cite a section. Removing this citation may leave this section blank (if there is not a map showing reference areas), which the Permittee must address during the next *technical* review.
- Relocate confidential information from the approved Volume I, Appendix A to a Confidential Binder. The Permittee will need:
 - New binder with appropriately labeled cover, spine, and tabs.
 - Relocation pages for pages 4-2 and 4-3.
 - Relocation page for Volume Appendix A
- Provide clearly labeled volume covers. The Division suggests that the Permittee provide and label the MRP volumes as follows: Volume I (Chapters 1-10), Volume II (Plates), Volume III (Appendices), and Confidential Binder. [jae]